



AMERICAN
ARBITRATION
ASSOCIATION®

INTERNATIONAL CENTRE
FOR DISPUTE RESOLUTION®

**COMMERCIAL ARBITRATION RULES
DEMAND FOR ARBITRATION**

You are hereby notified that a copy of our arbitration agreement and this demand are being filed with the American Arbitration Association with a request that it commence administration of the arbitration. The AAA will provide notice of your opportunity to file an answering statement.

Name of Respondent: Responsive Surface Technology, LLC; PatienTech, LLC, and Robert Golden

Address: c/o Snell & Wilmer, LLP, 15 West South Temple, Suite 1200

City: Salt Lake City

State: Utah

Zip Code: 84101

Phone No.: 801-257-1900

Fax No.:

Email Address: tfowler@swlaw.com; aljones@swlaw.com; emcomber@swlaw.com

Name of Representative (if known): Tracy Fowler, Elisabeth M. McOmber, Annika L. Jones

Name of Firm (if applicable): Snell & Wilmer, LLP

Representative's Address: 15 West South Temple, Suite 1200

City: Salt Lake City

State: Utah

Zip Code: 84101

Phone No.: 801-257-1900

Fax No.:

Email Address: tfowler@swlaw.com; aljones@swlaw.com; emcomber@swlaw.com

The named claimant, a party to an arbitration agreement which provides for arbitration under the Commercial Arbitration Rules of the American Arbitration Association, hereby demands arbitration.

Brief Description of the Dispute:

Respondents have breached their obligations under an agreement they entered into with Claimant, including by failing to pay Claimant back its [REDACTED] or due diligence into a possible acquisition of Respondents. Respondents have also violated Claimant's IP rights.

Dollar Amount of Claim: \$ At least \$5 million.

Other Relief Sought: ☒ Attorneys Fees ☒ Interest ☒ Arbitration Costs ☒ Punitive/Exemplary

☐ Other:

Amount enclosed: \$ 7,700.

In accordance with Fee Schedule: ☐ Flexible Fee Schedule ☒ Standard Fee Schedule

Please describe the qualifications you seek for arbitrator(s) to be appointed to hear this dispute:

The arbitrator must have substantial commercial litigation experience, and must have taken several commercial cases through trial and/or arbitration. The arbitrator must also have experience with intellectual property litigation, including in the areas of trademarks, trade dress, and patents.

Hearing locale: The arbitration provision of the agreement requires arbitration "in the Lehi, Utah area."

(check one) ☐ Requested by Claimant ☒ Locale provision included in the contract

Estimated time needed for hearings overall:

hours or 10

days



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Type of Business:		
Claimant: Mattress manufacturer.		Respondent: Mattress manufacturer.
Are any parties to this arbitration, or their controlling shareholder or parent company, from different countries than each other? No.		
Signature (may be signed by a representative): /s/ Adam Alba		Date: September 1, 2021.
Name of Claimant: Purple Innovation, LLC		
Address (to be used in connection with this case): 141 W. Pierpont Ave.		
City: Salt Lake City	State: Utah	Zip Code: 84101
Phone No.: 801-359-9000	Fax No.: 801-359-9011	
Email Address: magleby@mcg.law; greenwood@mcg.law; alba@mcg.law; gibson@mcg.law; zito@mcg.law		
Name of Representative: James E. Magleby, Christine Greenwood, Adam Alba		
Name of Firm (if applicable): Magleby Cataxinos & Greenwood, PC		
Representative's Address: 141 W. Pierpont Ave.		
City: Salt Lake City	State: Utah	Zip Code: 84101
Phone No.: 801-359-9000	Fax No.: 801-359-9011	
Email Address: magleby@mcg.law; greenwood@mcg.law; alba@mcg.law; gibson@mcg.law; zito@mcg.law		
To begin proceedings, please file online at www.adr.org/fileonline . You will need to upload a copy of this Demand and the Arbitration Agreement, and pay the appropriate fee.		